



BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

601 S.W SECOND AVENUE
SUITE 1900
PORTLAND, OREGON 97204

TEL: 503.279.6330
FAX: 503.279.6328
www.bannerwitcoff.com

FACSIMILE TRANSMITTAL SHEET

To: Customer Service – GAU 3728	FROM: James A. Niegowski
COMPANY: U.S. Patent and Trademark Office	DATE: February 21, 2003
FAX NUMBER: 703-872-9302	TOTAL NO. OF PAGES (INCLUDING COVER SHEET): 7
YOUR REFERENCE No.: Serial No. 09/960,627	OUR REFERENCE (C/M) No.: 005127.00062
RE: Submission of Response to Restriction Requirement and Preliminary Amendment	
<i>If you do not receive all page(s) or have any problems receiving this transmission, please call:</i>	
NAME: Karolyn	PHONE: (503) 279-6330

COMMENTS:

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PTO/SB/21 (08-00)

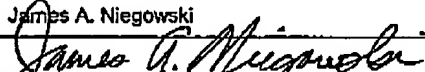
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/960,627
	Filing Date	September 21, 2001
	First Named Inventor	Daniel R. Potter et al.
	Group Art Unit	3728
	Examiner Name	A. Stashick
Total Number of Pages in This Submission	Attorney Docket Number	005127.00062

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Preliminary Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <p style="text-align: center;">Response to Restriction Requirement</p>
<div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p style="text-align: center;">Remarks</p> <p style="text-align: center;">The Commissioner is hereby authorized to charge any necessary fees, including any fees under 37 CFR §1.16 or 37 CFR §1.17, to Deposit Account No. 19-0733.</p> </div>		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	James A. Niegowski, Reg. No. 28,331	
Signature		
Date	February 21, 2003	

CERTIFICATE OF TRANSMISSION			
I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at telephone number (703) 872-9302 on February 21, 2003.			
Typed or printed name	James A. Niegowski		
Signature		Date	February 21, 2003

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Respectfully submitted,

By: *James A. Niegowski*
 James A. Niegowski
 Registration Number 28331
 Banner & Witcoff, Ltd.

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***In re* Application of

Daniel R. POTTER et al.

Serial No. 09/960,627

Filed: September 21, 2001

For: FOOTWEAR WITH BLADDER
 TYPE STABILIZER

Group Art Unit: 3728

Examiner: Stashick, A.

Attorney Reference: 005127.00062

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
 Washington, D.C. 20231

Sir:

In response to the Restriction Requirement mailed January 21, 2003, Applicants provisionally elect the species of Figures 1-6 and submit that claims 1-15, 25, 29, and 32-43 are readable thereon. This election is made without traverse.

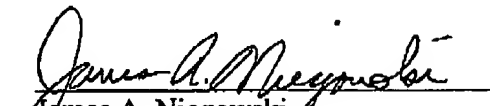
Applicants also submit that claims 1-2, 14-15, 25, 29, and 32-43 are generic to all species disclosed in the application. Upon allowance of a generic claim, the Applicants respectfully request that species claims pending in the application be considered.

This Response is being timely filed by facsimile transmission. Should additional fees or an extension of time be deemed necessary for consideration of this Response, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account

number 19-0733 for the payment of the requisite fee. Examination on the merits is respectfully awaited.

Respectfully submitted,

By:


James A. Niegowski
Registration No. 28631

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D.C. 20001-4597
Telephone: (202) 508-9100

Dated: February 21, 2003